

### **REMARKS**

This is a response to the Final Office Action (“Office Action”) dated August 9, 2006. Claims 27-41 are pending. No claim amendments have been made nor any new issues raised by way of this response. Issues raised in the Office Action are addressed next to demonstrate the failure of the Office Action to make the required prima facie case.

#### **Claim Rejections under 35 U.S.C. §102**

In paragraphs 1-2 of the Office Action, claims 35-36 and 41 were rejected as being unpatentable over U.S. Patent No. 4,779,135 to Judd (“Judd”) 35 U.S.C. §102. Applicant respectfully disagrees.

Briefly, Judd discloses a still frame image processor that shrinks a digital image by the factor of M. (*See Judd, Abstract*). The shrinking is accomplished by dividing the image into neighborhoods. Each pixel in that neighborhood is multiplied by the appropriate weighting value shown in the weighting mask. The weighted samples are summed, then divided by the sum of the weights to form the new pixel . . . (*See Judd, col. 3, ll. 60-67*). Thus, according to the Judd reference, to arrive to the value of the new pixel, all pixels in the neighborhood are considered, and they are considered only once. After the value of the new pixel is computed it does not change and the same value of the new pixel will appear in the shrunk image whenever it is displayed.

Claim 35 recites “a controller operable to select at least one dot from the stored portion of the digital image according to a pattern.” Claim 35 also requires “wherein the pattern specifies one or more of: (i) the probability of selecting each dot in the assigned group, and (ii) the order in which dots in the assigned group are selected for display.” First, Judd fails to disclose a controller operable to select one at least one dot. Judd is not concerned with dot selection. Judd’s system is not operable to select dots, rather it considers all of them when reducing the image size. Second, Judd fails to disclose a pattern according to which the selection is made. Furthermore, Judd discloses neither a pattern that specifies the probability of selecting dots nor a pattern that specifies order of dot selection. Judd only discloses multiplying each pixel in a neighborhood by a weight, which is neither the probability nor the order. Judd’s specification at col. 7, lines 27-42, cited in the Office Action, does not disclose this limitation of claim 35 either. Accordingly, claim 35 is not anticipated by Judd.

Claim 41 is patentable over Judd for reasons similar to those discussed in connection with claim 35 above.

**Claim Rejections under 35 U.S.C. §103**

In paragraphs 3-4 of the Office Action, claims 27-28 and 31-34 were rejected as being unpatentable over Judd under 35 U.S.C. §103(a). Applicant respectfully disagrees.


As to claim 27 The Office Action concedes that "Judd does not disclose the second dot [being] different from the first dot." However, the Office Action concludes that "it would have been obvious for Judd's system to have the second dot different from the first dot . . . ." Applicant respectfully disagrees. Applicant further notes that there is no reference in the record that teaches, discloses or suggests that the Office Action assertion is obvious. Therefore, it is respectfully requested that either the allegation made by the Office Action be substantiated or the rejection withdrawn.

In light of the above, claim 27 is patentable. Axiomatically, all claims dependent on claim 27 are also patentable.

Accordingly, the pending claims are patentable over the cited art of record. It is respectfully requested that the application be allowed to proceed to allowance without delay.

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Respectfully submitted,



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